

GENERAL PROCEDURES FOR CHANGES IN BOUNDARIES
OR ORGANIZATION TO BE PROCESSED BY THE
LOCAL AGENCY FORMATION COMMISSION

The procedures for proposals considered by the Local Agency Formation Commission (LAFCO) are guided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), and any proposal submitted must conform to the requirements outlined in the Act. The procedures outlined below represent broad guidelines as to the steps required:

1. INITIATION:

Generally, proposals for changes in boundaries, formations, or changes of organization can be submitted for the consideration of LAFCO by petition of the registered voters or affected landowners; however, prior to the circulation of any petition, a "Notice of Intent to Circulate" must be presented to the LAFCO Executive Officer. A proposal may also be initiated by a resolution adopted by the governing body of any related public body (county, city, or special district).

The proposal must be submitted on forms available from the LAFCO staff office, or on the LAFCO website (www.sbclafco.org), along with the applicable number of maps, legal descriptions, and filing fees to cover the proposal submitted.

2. LAFCO REVIEW PROCESS:

Upon receipt of a complete application, the LAFCO staff does several things concurrently:

- * It prepares a "Notice of Filing" and mails this to all affected and interested public bodies, including school districts, and sends a copy to the County Assessor and County Auditor-Controller.
- * It submits the item for environmental review; and
- * It schedules the item for review by the "Departmental Review Committee."

a. Notice of Filing:

This notice alerts the affected agencies of the item proposed, and requests from the Assessor and Auditor- Controller the ad valorem tax information pertinent to the proposal.

When the LAFCO staff office receives the tax information related to the proposal, it mails this information to the County Administrative Office and each affected city and/or special district.

NOTE: The proposal cannot be considered by the Commission until LAFCO receives from the County Board of Supervisors (for itself and affected districts) and any affected city, a resolution approving any changes in ad valorem tax distribution which is caused by the proposed change.

b. Request for Environmental Review:

LAFCO contracts with the firm of Tom Dodson and Associates for the initial environmental assessment of LAFCO proposals. The LAFCO review process cannot continue without a determination that the proposal: (1) qualifies for an exemption as defined within the California Environmental Quality Act (CEQA) and the Commission's environmental guidelines; (2) receives a Negative Declaration which indicates that, if approved, the project will have no adverse effects; or (3) there is a completed Environmental Impact Report submitted for the project.

Environmental determinations are reviewed and considered prior to Commission evaluation of the proposal.

c. Departmental Review Process:

Basic information related to each proposal is mailed to every agency affected by the item and to the County Assessor, Auditor-Controller, Registrar of Voters, Planning, Surveyor, and Transportation Departments, etc.

Each department or agency is requested to comment on the proposal and submit information relating to it. Then a Departmental Review Committee (DRC) meeting is held (normally the second Thursday of the month), and all information and concerns are reviewed. Applicants are encouraged to attend in order that steps to rectify any problems discovered can be outlined.

3. The LAFCO Executive Officer prepares and distributes a report making a recommendation to the Commission relating to the proposal.
4. The item is considered by the Commission, and it either approves or denies the proposal.

- * If the Commission denies the proposal, then it is legally terminated.
 - * If the Commission approves the proposal, LAFCO staff will provide a published Notice of Protest Proceeding announcing the date for consideration of protest and the procedure and requirements for a valid written protest to the proposal.
5. The LAFCO Executive Officer will consider the item at the time and date indicated on the protest hearing notice, and will make a determination of the level of protest submitted. Based upon the level of protest, the Executive Officer shall issue a resolution approving, denying, or submit the proposal to an election.
 6. Upon the successful completion of this protest process, the Clerk to the Commission files a "Certificate of Completion" with appropriate bodies. The date of this Certificate is the effective date of the action.

If the protest process terminates the action, the Clerk to the Commission shall file a "Certificate of Termination" with appropriate bodies.